

# **FISCAL NOTE**

## **HB 166 - SB 484**

February 22, 2005

**SUMMARY OF BILL:** Provides minimum mandatory punishment of 11 months and 29 days for persons convicted of second or subsequent DUI if at the time of violation a person's driver license was cancelled, suspended or revoked because of a conviction for vehicular assault, vehicular homicide, or DUI.

### **ESTIMATED FISCAL IMPACT:**

#### **Increase Local Govt. Expenditures – Exceeds \$1,000,000\***

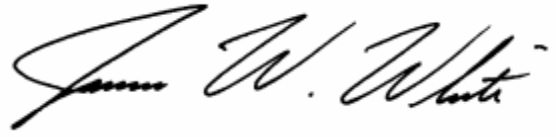
Assumptions:

- There were approximately 3,880 drivers convicted of DUI in 2003 that had a cancelled, suspended or revoked license.
- Approximately 60% (2,330) were second offenders and approximately 40% (1,550) were third and subsequent offenders.
- Current second offenders serve a mandatory minimum of 45 days.
- Current third and subsequent offenders serve a mandatory minimum of 120 days.
- This bill requires a mandatory minimum of 11 months and 29 days for second and subsequent offenders.
- The cost to local governments to incarcerate offenders is approximately \$45 per day.

\*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized "J" and "W".

James W. White, Executive Director